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UNITED STATES DISTRICT COURT  
DISTRICT OF MONTANA  
MISSOULA DIVISION

TANYA GERSH,

Plaintiff,

vs.

ANDREW ANGLIN, publisher of the  
*Daily Stormer*,

Defendant.

Case No.: 9:17-cv-00050-DLC-JCL

**MOTION FOR APPROVAL OF *EX*  
*PARTE* FILING OF DOCUMENTS  
MARKED ATTORNEY'S EYES  
ONLY AND LODGED UNDER  
SEAL**

Pursuant to Local Rule 5.2(e), Plaintiff respectfully seeks this Court's approval for her *ex parte* filing of certain documents lodged under seal (Dkt. Nos. 205; 205-1; 205-2; 205-3), and in support thereof states as follows:

1. On March 27, 2019, this Court entered a Protective Order including a provision that protected documents from disclosure to non-attorneys. (Dkt. No. 166).
2. On April 30, 2019, all counsel for Defendant filed a motion to withdraw their appearances on his behalf in this matter. (Dkt. No. 190).
3. On May 14, 2019, this Court granted that motion. (Dkt. No. 196).
4. Despite this Court's order that Defendant either "(a) have his new counsel file a notice of appearance, or (b) file a notice stating that he intends to proceed pro se in this action," (Dkt. No. 182, at 2), no such action has been taken.
5. As a result, Plaintiff has been serving Defendant via U.S. mail to the four addresses included in his former attorneys' motion to withdraw their appearances. (*See, e.g.* Dkt. No. 197, at 3).
6. On June 21, 2019, Plaintiff filed a motion for leave to file under seal four documents containing private medical and financial information in support of her Motion for Default Judgment. (Dkt. Nos. 203).

7. Each of these documents has been designated as “HIGHLY CONFIDENTIAL – ATTORNEY’S EYES ONLY” pursuant to the Protective Order dated March 27, 2019. (Dkt. No. 166, at 3).
8. Defendant may not be given access to documents designated as “HIGHLY CONFIDENTIAL – ATTORNEY’S EYES ONLY” because he does not meet the requirements of a “highly confidential qualified person” pursuant to the Protective Order. (Dkt. No. 166, 5-6).
9. Redacted versions of two of the confidential documents were filed in the public record along with Plaintiff’s Brief in Support of the Motion for Leave to File Under Seal. (Dkt. Nos. 204; 205-1; 205-2).
10. Mailing copies of the documents lodged under seal to Defendant (as appears to be required by L.R. 5.2(e), who appears to be proceeding pro se, would conflict with the restrictions outlined in the Protective Order which were put in place specifically to protect such information from wide dissemination and misuse by Defendant based on his history and practice of publishing, disseminating and otherwise exploiting sensitive information in order to harass, embarrass and humiliate individuals he targets for abuse.
11. Plaintiff has served copies of documents lodged under seal to attorneys for Intervenor.

For the foregoing reasons, Plaintiff seeks approval for her *ex parte* filing of the documents lodged under seal (Dkt. Nos 205; 205-1;205-2; 205-3).

DATED June 24, 2019.

/s/ Elizabeth Littrell  
Attorney for Plaintiff Tanya Gersh  
on behalf of all Attorneys for Plaintiff

## **CERTIFICATE OF SERVICE**

I hereby certify that on this date the foregoing document was sent by U.S. mail to Defendant at the following addresses identified by his former counsel in his Motion to Withdraw:

6827 N High Street, Suite 121,  
Worthington, Ohio 43085

3827 N High Street, Suite 121,  
Worthington, Ohio 43085

7407 Brandshire Ln. Apt. B,  
Dublin, Ohio 43017

915 N High Street,  
Columbus, Ohio 43201

I further certify that on this date the foregoing document was filed through the Court's CM/ECF filing system, and by virtue of this filing notice will be sent electronically to all counsel of record, including:

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*Attorney for Intervenor State of Montana*

on this 24th day of June, 2019.

/s/ Elizabeth Littrell  
Attorney for Plaintiff Tanya Gersh  
on behalf of all Attorneys for Plaintiff